

REMARKS

I. Introduction

Claims 1 to 3, 7, 11 and 14 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Double Patenting Rejection

As regards the double patenting rejection, without necessarily agreeing with the merits of this rejection, Applicant is prepared to submit a terminal disclaimer in compliance with 37 C.F.R. § 1.321(c) to overcome this rejection upon withdrawal of all other rejections and when the claims are otherwise indicated to be in final form for allowance.

III. Rejection of Claims 1 to 3, 11 and 14 Under 35 U.S.C. § 102(b)

Claims 1 to 3, 11 and 14 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,477,061 ("Kawaura et al."). It is respectfully submitted that Kawaura et al. do not anticipate the present claims as amended herein for at least the following reasons.

Claim 1 relates to a spring strut support bearing. Claim 1 recites that the spring strut support bearing includes at least one elastically flexible annular stop buffer on each of two end faces of an inner ring. Claim 1 as amended herein without prejudice recites that the stop buffer on one end face is substantially symmetric to the stop buffer on the other end face about a middle plane between the one end face and the other end face. Support for this amendment may be found, for example, in Figure 1.

Independent claim 14 includes has been amended herein without prejudice in an analogous manner.

Kawaura et al. purport to relate to a strut type suspension. Referring to Figures 3 and 4 it can be readily seen that Kawaura et al. fail to disclose the symmetric arrangement of stop buffers on end faces of an inner ring.

It is "well settled that the burden of establishing a prima facie case of anticipation resides with the [United States] Patent and Trademark Office." Ex parte Skinner, 2 U.S.P.Q.2d 1788, 1788 to 1789 (Bd. Pat. App. & Inter. 1986). To

anticipate a claim, each and every element as set forth in the claim must be found in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of Calif., 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). That is, the prior art must describe the elements arranged as required by the claims. In re Bond, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Since Kawaura et al. fail to disclose, or even suggest, a symmetric arrangement of stop buffers on end faces of an inner ring, it is respectfully submitted that Kawaura et al. do not anticipate claims 1 and 14.

As for claims 2, 3 and 11, which ultimately depend from claim 1 and therefore include all of the limitations of claim 1, it is respectfully submitted that Kawaura et al. do not anticipate these dependent claims for at least the same reasons more fully set forth above in support of the patentability of claim 1.

As further regards claim 3, the Office Action admits at page 4 that “Kawaura et al. do not teach wherein the stop buffers are produced separately and connected frictionally and/or with form locking to the respective end face of the inner ring.” It is therefore respectfully submitted that the Office Action essentially admits that Kawaura et al. do not anticipate claim 3.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Rejection of Claim 3 Under 35 U.S.C. § 103(a)

Claim 3 was rejected under 35 U.S.C. § 103(a) as unpatentable over Kawaura et al. It is respectfully submitted that Kawaura et al. do not render unpatentable claim 3 for at least the following reasons.

Claim 3 depends from claim 1 and therefore includes all of the features recited in claim 1. As more fully set forth above, Kawaura et al. do not disclose, or even suggest, a symmetric arrangement of stop buffers on ends faces of an inner ring. It is therefore respectfully submitted that Kawaura et al. do not render unpatentable claim 3, which depends from claim 1.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Rejection of Claim 7 Under 35 U.S.C. § 103(a)

Claim 7 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Kawaura et al. and U.S. Patent No. 4,711,463 ("Knable et al."). It is respectfully submitted that the combination of Kawaura et al. and Knable et al. does not render unpatentable claim 7 for at least the following reasons.

Claim 7 depends from claim 1 and therefore includes all of the features of claim 1. As more fully set forth above, Kawaura et al. do not disclose, or even suggest, a symmetric arrangement of stop buffers on end faces of an inner ring. Knable et al. are not relied upon for disclosing or suggesting the features of claim 1 not disclosed or suggested by Kawaura et al. Indeed, Knable et al. do not disclose, or even suggest, the features of claim 1 not disclosed or suggested by Knable et al. It is therefore respectfully submitted that the combination of Kawaura et al. and Knable et al. do not render unpatentable claim 7, which depends from claim 1.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.


VI. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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